

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

Michael Williamson,

Case No. 1:18-cv-472

Petitioner,

v.

ORDER

Harold May, Warden,

Respondent.

On February 26, 2021, Petitioner Michael Williamson filed a motion for relief from judgment from my January 7, 2020 Memorandum Opinion and Order overruling his objections, adopting the Report and Recommendation of Magistrate Judge Kathleen B. Burke, and denying in part and dismissing in part his grounds for relief stated in his petition for a writ of habeas corpus. (Doc. No. 52).

Williamson previously appealed my decision to the Sixth Circuit Court of Appeals, which concluded Williamson failed to state a colorable claim for relief and denied his application for a certificate of appealability. (Doc. No. 49). Williamson appealed this decision to the Supreme Court of the United States, which declined to issue a writ of certiorari. (Doc. No. 51).

Williamson's claims I denied his petition for a writ of habeas corpus through "mistake and inadvertence," and that I failed to recognize the state-court prosecutor committed a fraud on the court. (Doc. No. 52 at 2-5). He also contends his sentence in effect is one for life without parole, which was an improper "trial tax." (*Id.* at 5).

Williamson is not entitled to relief from judgment. His motion reiterates some of the arguments I previously rejected, and which also were rejected by the Sixth Circuit. (*See* Doc. Nos. 41 and 49). A movant may not obtain relief under Rule 60(b) by repeating the same, unsuccessful arguments. *See, e.g., Kersh v. Macomb St. Clair Employment Training Agency*, 55 F. App'x 723, 724-25 (6th Cir. 2003). Therefore, I deny his motion for relief from judgment. (Doc. No. 52).

Further, I certify there is no basis on which to issue a certificate of appealability. 28 U.S.C. § 2253; Fed. R. App. P. 22(b).

So Ordered.

s/ Jeffrey J. Helmick
United States District Judge